

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
DECEMBER 20, 1961

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 p.m. of Wednesday, December 20, 1961. Councilmen Brown, Katzakian, Mitchell, Ullmann and Culbertson (Mayor) present; none absent.

Also present: City Manager Graves, Admin. Asst. Carlton, Planning Director Rodgers and City Attorney Mullen.

MINUTES Minutes of December 6, 1961 were approved as written and mailed on motion of Councilman Katzakian, Mitchell second.

PUBLIC HEARINGS

REZONE TO C-S ON CHEROKEE LN Notice thereof having been published in accordance with law, Mayor Culbertson called for public hearing on the proposed rezoning from the R-4 multiple family residential zone and C-2 general commercial zone to the C-S commercial shopping zone of an eleven-acre parcel bounded by Cherokee Lane, Poplar Street, Garfield Street and a line 348 feet south of Vine Street. The City Manager read the report from the City Planning Commission recommending the rezoning. A letter was read from the directing boards of the Lodi Seventh-day Adventist Elementary School and the Lodi Academy expressing their concern of the traffic hazards that would be engendered by establishment of a shopping center in this area; the Academy is opposite the area on Poplar Street and the Elementary School is situated across from the area on Garfield Street. The letter also stated there would be increased noise and loss of esthetic qualities. Letters objecting to the rezoning were read from the following people: Emil W. Janke, who owns property at 940 Wellwood; Mr. & Mrs. L.H. Lukens, 547 Park Street, objected because of proximity to schools; Mrs. Nora Voth, 941 South Garfield, said it would be a traffic hazard; J.W. Hottell, 1206 South Central Avenue, and Mrs. Sydney Stewart, 230 Charles Street, protested because of proximity to the S.D.A. Elementary School. Mr. William A. Ford of 465 Tuxedo Avenue, Stockton, developer of the proposed shopping center, said that he thought the majority of the people wanted the shopping center and that he had talked to the Seventh-day Adventist School authorities concerning the traffic problem and felt that a satisfactory solution could be reached. He stated he was willing to dedicate land for widening of Poplar and Garfield Streets and would accede to any requests made by the City. Mr. Irving Baker, 344 La Vida Drive, stated that the type of shopping center proposed by Mr. Ford was needed and would benefit the City through tax revenue and otherwise. Mr. William Rempfer, 115 South Fairmont Avenue, also spoke in behalf of the proposed center and mentioned some of the public schools as being in heavily travelled areas. Reverend Douglas Marchus, 1138 South Orange Avenue, said he was a member of the Seventh-day Adventist school boards and that they were interested in the progress of Lodi and that their letter was not a protest as such, but that if the Council

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should decide to rezone the property, consideration of the traffic problem would be appreciated. Discussion then centered on possible solutions to the traffic problem. It was felt that since the heaviest school traffic was at the corner of Garfield and Mission, because of the school busses and the cars of parents picking up their children, the shopping center entrance at Mission Street should be eliminated. Mr. Ford said that he was willing to go along with what was best for the City. The Council wished to have the traffic flow designed so as to be least hazardous to the schools. Councilman Brown moved the introduction of Ordinance No. 715 rezoning the proposed shopping center site to C-S with the provision that before the ordinance is adopted the developer should file with the City a written statement giving a time schedule of the development of the center and with the condition that there would be no driveway into the center at Mission Street. The motion was seconded by Councilman Katzakian and carried by unanimous vote after reading by title only and waiving reading of the ordinance in full.

PLANNING COMMISSION

At its meeting of December 11, 1961 the Planning Commission approved the tentative map of the Westdale Subdivision consisting of 124 lots located south of the Kristmont Acres Subdivision.

COMMUNICATIONS

ABC LICENSE	Transfer of alcoholic beverage license, on sale beer and wine, to James and June Stout, Liberty Cafe, 114 N. Sacramento Street.
CLAIM FOR DAMAGES	Claim for damages from John Fuller, Route 4, Box 250, Lodi, was rejected on motion of Councilman Brown, Ullmann second, and referred to Max Elson, Agent of Record, for action.
S. SCHOOL ST. LIGHT DISTRICT	A petition was presented from property owners of more than 60% of the front footage along South School Street from the alley north of Tokay Street to Kettleman Lane asking for the installation of street lights along this portion of street and waiving the investigation provided for by the
RES. NO. 2498 AND RES. NO. 2499 ADOPTED	"Special Assessment, Investigation, Limitation and Majority Protest Act of 1831." The City Clerk has certified to the signatures on the petition. On motion of Councilman Mitchell, Katzakian second, the Council passed Resolution No. 2498 adopting plans and specifications for the street lights and on motion of Councilman Katzakian, Brown second, the Council adopted Resolution No. 2499, resolution of intention to construct street lights in the South School Street Lighting District and setting public hearing thereon for January 17, 1962.
KOFU	Mayor Culbertson read a Christmas card which he had received from Mayor Keijiro Takano of Kofu, including a message which had been translated from the Japanese by Mr. Wesley Ouye.

REPORTS OF THE CITY MANAGER

FALLOUT SHELTERS	The City Manager presented the draft of an ordinance which would require a use permit for fallout shelters above ground level in any front yard or street side yard. A draft requiring a use permit for construction of any shelter in a front or street side yard had previously been submitted to the Council. The City Attorney recommended the latter draft since it would give the City more control over shelter construction in front or street side yards. The Council concurred in the recommendation and on motion of Councilman Mitchell, Ullmann second, referred the proposed ordinance to require a use permit for fallout shelters in front or street side yards to the Planning Commission for public hearing since the ordinance would be an amendment to the zoning ordinance.
CLAIMS	Claims in the amount of \$140,598.98 were approved on motion of Councilman Katzakian, Brown second.
TREES AT BETHEL CHURCH	City Manager Graves reported that the problem of street trees at the Bethel Open Bible Church on the southwest corner of Locust and Church Streets had been discussed by Loren Cromwell of the Engineering Department with the minister of the church, Rev. Edward Wood. It has been agreed that the City will conduct a thorough spray program for the next year or two to see if the problem can be controlled.
REMOVAL OF LOADING ZONES RES. NO. 2500 ADOPTED	Mr. Graves stated that a recommendation had been received from the Department of Public Works that the loading zone in front of the old Alexander Bakery on Sacramento Street be removed since the bakery has moved to a new location. It was then mentioned that the bus loading zones should be removed since the bus system was no longer in operation and that the loading zone in front of the former State Theater was also no longer needed. On motion of Councilman Mitchell, Brown second, the City Council adopted Resolution No. 2500 abandoning the loading zones for the former Alexander's Bakery location, the former State Theater and the bus zones on School Street and ordered that these locations be made into parking stalls with parking meters in those instances where space permitted.
FIRE DEPT. PROJECTOR	The City Manager stated that the movie projector being used by the Fire Department is no longer serviceable and that the Department is unable to obtain one through government surplus. He therefore recommended that funds be appropriated from the Equipment Fund to purchase a new projector. On motion of Councilman Brown, Katzakian second, the City Council approved an appropriation of \$498.75 from the Equipment Fund to purchase a projector for the Fire Department.
PURCHASE PG&E LINES IN REYNOLDS ADD.	Mr. Graves then reported that the Superintendent of Utilities had received an appraisal of \$2,046.62 from the Pacific Gas and Electric Company on the Company's electric facilities in the Reynolds Addition. He recommended that funds be appropriated from the Utilities Outlay Reserve Fund to buy these facilities. Councilman Mitchell moved

that the purchase of electric facilities from Pacific Gas and Electric Company be approved and that \$2,046.62 be transferred from the Utilities Outlay Reserve Fund for that purpose. Motion was seconded by Councilman Katzakian and carried.

WATER SYSTEM SURVEY

Mr. Glaves informed the Council that two proposals had been received for the study of the City's water distribution system, one from Wilsey, Ham and Blair and the other from Carleton Yoder. Wilsey, Ham and Blair propose to do the work for \$4,850 and would expect to complete the study within eight weeks. Mr. Yoder is asking for \$7,000 and would require between three and four months to complete the survey. Both firms have done very satisfactory work for the City on other surveys. On motion of Councilman Katzakian, Brown second, the City Council accepted the proposal of Wilsey, Ham and Blair for a study of the water distribution system at a cost of \$4,850.

APPOINTMENTS

R. RINN AND R. FULLER

Mayor Culbertson reported that he had contacted Mr. Robert H. Rinn and Mr. Robert S. Fuller, whose terms expire at the end of this month, and both are willing to continue service on the Health District and Mosquito Abatement District boards respectively. Councilman Katzakian moved that Robert H. Rinn be reappointed to the Board of Trustees of the San Joaquin Local Health District and that Robert S. Fuller be reappointed to the Board of Trustees of the Northern San Joaquin County Mosquito Abatement District, both appointments effective January 1, 1962. Motion was seconded by Councilman Ullmann and carried.

B. KATZAKIAN

Mayor Culbertson asked Councilman Katzakian if he would be willing to serve on the Welfare Committee of the Cities and County of San Joaquin Association. Councilman Katzakian agreed to serve.

ORDINANCES

REZONE POR. SON-RAY PARK AND DISPOSAL PLANT SITE TO R-2

ORD. NO. 713 ADOPTED

ORDINANCE NO. 713, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING THE EAST 446.5 FEET OF SON-RAY PARK SUBDIVISION AND A PORTION OF CITY PROPERTY LYING IMMEDIATELY SOUTH OF SAID SUBDIVISION TO BE IN THE R-2 ONE FAMILY RESIDENTIAL DISTRICT," having been introduced at the regular meeting of December 6, 1961, was brought up for passage on motion of Councilman Brown, Mitchell second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, KATZAKIAN, MITCHELL, ULLMANN and CULBERTSON
 NOES: Councilmen - NONE
 ABSENT: Councilmen - NONE

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CURB, GUTTER,
ETC., AS A
BUILDING
REQUIREMENT

ORD. NO. 714
ADOPTED

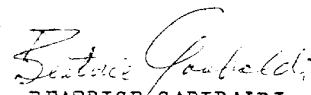
ORDINANCE NO. 714, entitled "AN ORDINANCE OF THE CITY OF LODI AMENDING THE LODI CITY CODE, 1959, BY ADDING TO CHAPTER 5 THEREOF ARTICLE V ENTITLED 'CURBS, GUTTERS, SIDEWALKS AND STREETS FOR NEW CONSTRUCTION,'" having been introduced at the regular meeting of December 6, 1961, was brought up for passage on motion of Councilman Ullmann, Katzakian second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, KATZAKIAN, MITCHELL,
ULLMANN and CULBERTSON

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

The Council then adjourned.


ATTEST: BEATRICE GARIBALDI
City Clerk